IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO. 20 OF 2007

MR. ANTHONY ROSARIO REBELLO,
PRISONER ... Petitioner

Versus

STATE OF GOA THROUGH UNDER
SECRETARY (HOME) AND 2 ORS., ... Respondents

Ms. Asha Dessai, Advocate for the Petitioner.

Ms. Winnie Coutinho, Public Prosecutor for the Respondents.

Coram:- N. A. BRITTO, J.

Date:- 19th July, 2007

P.C.:-

Heard Ms. Asha Dessai, the learned Counsel on behalf of the petitioner and Ms. Winnie Coutinho, the learned Public Prosecutor on behalf of the respondents.

It appears that the petitioner who is said to have been undergoing life sentence from 29-12-1999 had made an application to be released on parole dated 24-2-2006 on the ground that he wants to visit his ailing father at Thane, Maharashtra. It appears that the said application has been rejected without any report being called for from the Superintendent of Police, Thane which is otherwise the usual practice followed by the Inspector General of Prisons. It appears that only the report of the Superintendent of Police, South Goa, was called for when it was nobody's case that the petitioner was residing within the jurisdiction of the said Superintendent, South Goa.

The learned Public Prosecutor Ms. Winnie Coutinho states that the petitioner's application will be decided after calling for such a report. In view of the said statement, the impugned Order dated 12-5-2007 is hereby set aside and the respondents are hereby directed to dispose off the

petitioner's application afresh as expeditiously as possible and in any event within a period of eight weeks.

Petition disposed off on the above terms.

N. A. BRITTO, J.

RD.